



Written by [Daniel Sayani](#) on March 8, 2011

NYC Council Passes Gag Rule Against Pro-Life Pregnancy Centers

As a follow-up to a story previously reported by The New American, the New York City Council, as expected, passed legislation that curbs the activity of pro-life, anti-abortion Crisis Pregnancy Centers (CPCs), which offer much-needed medical and counseling services to pregnant women who are seeking free prenatal care during their pregnancies, without pressure to abort their children.

The legislation, NYC Council Resolution 371-A, is yet another in a litany of pro-abortion bills to pass through the chambers of New York City Hall. According to the [Wall Street Journal](#):

The New York City Council approved legislation requiring crisis pregnancy centers to disclose whether or not they offer abortion services, setting the stage for a legal battle between the city and abortion opponents.

The council voted 39-9, with one abstention, to pass the bill; Mayor Michael Bloomberg is planning to sign it into law later this month.

Council Speaker Christine Quinn, a Manhattan Democrat (and open lesbian) and a potential 2013 mayoral candidate, said the bill promulgates “truth in advertising” and at its core is a “consumer protection” measure, much to the delight of the pro-abortion lobby.

The legislation passed, as expected, in a city where liberal Democrats dominate city (and state) politics, and where Planned Parenthood and NARAL Pro Choice New York are granted coveted audiences and political perks (such as lobbying advantages, city contracts, and exclusive opportunities to use City Hall for activist meetings). Of 51 council members, 46 are Democrats (and of these 46, at least a third are also members of the radical, ACORN-linked Working Families Party), and only five are Republicans.

Only nine members of the council voted in favor of the Crisis Pregnancy Centers, including all members of the council’s Republican caucus, and four Democrats, who broke ranks with their party leadership. The four [Democrats](#) were Vincent Gentile, Peter Vallone Jr. (whose father was a well-known Moderate Democrat), Darlene Mealy, and Fernando Cabrera. Mealy’s and Cabrera’s votes were most unusual, as the two are members of the Working Families Party and are linked with figures such as the pro-abortion Al Sharpton.

The bill — cracking down on the vital services provided by agencies such as the Sisters for Life, Expectant Mother Care, and others made possible through religious groups such as the Archdiocese of New York — was largely written by activists connected with NARAL, which has provided thousands of dollars in campaign funds to NYC Council Speaker Quinn and other leading council Democrats.





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NARAL authored a report alleging that crisis pregnancy centers engage in deceptive practices, based on undercover investigations undertaken by NARAL volunteers, claiming that the centers are inherently flawed because they do not refer patients to abortion mills or facilities where they can obtain artificial contraception, a grave sin in the eyes of the [pro-abortion lobby](#), which has stated:

And while CPCs do not refer for abortion, they take pains to couch their anti-abortion position in terms of concern for women and to distance themselves from the incendiary rhetoric of the anti-choice movement. Many even co-opt the language of the reproductive rights movement; references to “rights,” “choices,” and “informed decisions” abound. The Crisis Pregnancy Center of New York website, for example, states, “You have the legal right to choose the outcome of your pregnancy.” The Midtown Pregnancy Resource Center assures its potential clients that its services are delivered in “a professional atmosphere without the use of scare tactics or emotional appeals.” Pregnancy Help, Inc. promises, “You won’t find any hype, politics, or judgment.”

The NYC Council bill cracking down on crisis pregnancy centers is therefore one centered on the use of language and free speech — the pro-abortion left decries the fact that women seek free prenatal care from clinics other than abortion mills, and loathes the phenomenon of pro-lifers using the terminology of its choosing. Indeed, for the pro-abortion left, “reproductive rights” extend to every “right” other than carrying the pregnancy to term and giving birth to the child, in another example of leftist Orwellian doublespeak.

The bill’s provisions [will](#):

Force pro-life pregnancy centers to post on all advertising, doors, websites, pamphlets, waiting room walls paragraphs of government language listing what services they do not offer (no other organization has to do this) and state these paragraphs of government language verbally every time they pick up the phone or talk to anybody, under threat of the extreme penalties of imprisonment, personal lawsuits, thousands of dollars of fines, and police shutdown of volunteer pregnancy help centers run by generous volunteers charged with no wrongdoing and who have had zero charges, client complaints, or lawsuits filed against them.

Force volunteers to comply with burdensome confidentiality regulations not required by other NYC non-profits or volunteer organizations, and which prohibit the reporting of rape/prostitution to the police, all with no evidence of any abuse of confidential information ever occurring by pro-life help centers.

Realizing that such legislative proposals to regulate the activity of crisis pregnancy centers through “disclosure” requirements are the result of efforts to regulate the free speech of pro-life organizations, Federal Judge Marvin J. Garbis recently ruled against a Baltimore injunction which served as the prototype for NYC’s anti-CPC law, on the grounds that such requirements [violate](#) the First Amendment rights of the CPCs:

The Court holds that the Ordinance violates the Freedom of Speech Clause of Article I of the Constitution of the United States and is unenforceable. Whether a provider of pregnancy-related services is “pro-life” or “pro-choice,” it is for the provider — not the government — to decide when and how to discuss abortion and birth-control methods.

The Centers offer services that have value in the commercial marketplace. However the offering of free services such as pregnancy tests and sonograms in furtherance of a religious mission fails to equate with engaging in a commercial transaction. Were that the case, any house of worship



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offering their congregants sacramental wine, communion wafers, prayer beads, or other objects with commercial value, would find their accompanying speech subject to diminished constitutional protection. ...The nature of information transmitted by the Center ... includes, by any measure, speech generally afforded the highest level of constitutional protection.

Inspired by this judicial precedent, crisis pregnancy centers in New York City are exploring which judicial avenues are open to them; considering Judge Garbis's ruling, the pro-life and Christian communities in New York City believe that they have strong legal footing, according to the [Christian News Wire](#):

This level of government intrusion in our lives is unprecedented, and will be declared unconstitutional," said Chris Slattery, founder and President of Expectant Mother Care/EMC Front Line Pregnancy Centers, based in New York. Slattery says his and other pro-life centers will seek a Temporary Restraining Order to block the legislation if it is signed into law.

Bill 371A is the greatest attack on free speech in modern America," said Slattery. "The Council proposed this bill without offering any credible pretext for doing so. Incredibly, it requires private citizens to take the government's viewpoint on a contentious political issue. Why do they think we have a First Amendment?" The bill does not place similar restrictions on the city's abortion clinics.

Slattery said the pro-life centers' legal team includes attorneys from New York City and from national public-interest law firms with extensive experience in constitutional issues.

"It's surprising, but here in America's abortion capital, the abortion industry fears the competition of a comparative handful of pro-life pregnancy centers," said Slattery. "The abortionists are using their political cronies on the City Council, such as Speaker Christine Quinn, to try to crush us. If we have to use the courts to enforce our right to tell the truth to our clients, we will."

It is unlikely that the NYC Council will overturn the legislation any time soon, although the crisis pregnancy centers will be looking to exercising all possible judicial routes to block the implementation of the bill.

Graphic: [Heartbeat International](#) and [Birthright International](#) are two of the largest crisis pregnancy center organizations.



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